Court No.3

Criminal Misc. Application No. 794 of 2001

Ravi Prakash Agarwal …… Petitioner.

Vs.

State of U.P. and others …… Respondents.

Hon'ble Irshad Hussain, J.

Heard Sri Arvind Vashistha learned counsel for the petitioner and learned A.G.A. for respondent No.1. None appear for the respondent No.2 inspite of service.

The dispute between the husband and wife was resolved by compromise and in view of the compromise the decree of divorce had been granted with a one time settlement regarding maintenance and other claims of the wife. The terms are exhaustive which have been mentioned in the compromise, copy of which is Annexure-5. In terms of the compromise a final order was passed and decree of divorce was passed, copy of which is also on the record. Considering this there remain no dispute between the husband and wife and the pendency of the criminal proceedings under section 498-A I.P.C. and ¾ Dowry Prohibition Act shall be abuse of the process of the case.

Considering the above facts the petition is disposed of in terms that the criminal proceedings in crime No. 168/2000, registered as criminal case No. 1097/2001 in the Court of Ist A.C.J. (Judicial Magistrate) Roorkee and in which the summoning order was passed on 13-6-2001 are quashed.

(Irshad Hussain, J.)

Dated: 15-9-2003

ISB